

Fill in this information to identify your case:

United States Bankruptcy Court for the:

NORTHERN DISTRICT OF GEORGIA

Case number (if known) Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/19

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name American Carpet Group, Inc.

2. All other names debtor used in the last 8 years
Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 20-3009784

4. Debtor's address
Principal place of business
100 Thomas Street
Calhoun, GA 30701
Number, Street, City, State & ZIP Code
Gordon
County
Mailing address, if different from principal place of business
P.O. Box, Number, Street, City, State & ZIP Code
Location of principal assets, if different from principal place of business
Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor
☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☐ Other. Specify:

Debtor **American Carpet Group, Inc.** Case number (if known) _____
Name

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
 See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
☐ Chapter 9

☒ Chapter 11. Check all that apply:

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625 (amount subject to adjustment on 4/01/22 and every 3 years after that).
☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- ☒ No.
☐ Yes.

If more than 2 cases, attach a separate list.

| | | | | | |
|----------|-------|------|-------|-------------|-------|
| District | _____ | When | _____ | Case number | _____ |
| District | _____ | When | _____ | Case number | _____ |

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- ☒ No
☐ Yes.

List all cases. If more than 1, attach a separate list

| | | | |
|----------|-------|-----------------------|-------|
| Debtor | _____ | Relationship | _____ |
| District | _____ | When | _____ |
| | | Case number, if known | _____ |

Debtor **American Carpet Group, Inc.** Case number (if known) _____
Name

11. Why is the case filed in this district? *Check all that apply:*
- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?
- ☒ No
- ☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.
- Why does the property need immediate attention?** (*Check all that apply.*)
- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____
- ☐ It needs to be physically secured or protected from the weather.
- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- ☐ Other _____
- Where is the property?** _____
Number, Street, City, State & ZIP Code
- Is the property insured?**
- ☐ No
- ☐ Yes. Insurance agency _____
Contact name _____
Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds *Check one:*
- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors
- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

15. Estimated Assets
- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> \$0 - \$50,000 | <input type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion |
| <input type="checkbox"/> \$50,001 - \$100,000 | <input type="checkbox"/> \$10,000,001 - \$50 million | <input type="checkbox"/> \$1,000,000,001 - \$10 billion |
| <input type="checkbox"/> \$100,001 - \$500,000 | <input type="checkbox"/> \$50,000,001 - \$100 million | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion |

16. Estimated liabilities
- | | | |
|--|--|--|
| <input type="checkbox"/> \$0 - \$50,000 | <input checked="" type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion |
| <input type="checkbox"/> \$50,001 - \$100,000 | <input type="checkbox"/> \$10,000,001 - \$50 million | <input type="checkbox"/> \$1,000,000,001 - \$10 billion |
| <input type="checkbox"/> \$100,001 - \$500,000 | <input type="checkbox"/> \$50,000,001 - \$100 million | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion |

Debtor **American Carpet Group, Inc.**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **May 15, 2019**
MM / DD / YYYY

X /s/ Howard Johnson

Signature of authorized representative of debtor

Howard Johnson

Printed name

Title **CEO**

18. Signature of attorney

X /s/ Cameron M. McCord

Signature of attorney for debtor

Date **May 15, 2019**

MM / DD / YYYY

Cameron M. McCord 143065

Printed name

Jones & Walden, LLC

Firm name

**21 Eighth Street, NE
Atlanta, GA 30309**

Number, Street, City, State & ZIP Code

Contact phone **404-564-9300**

Email address **info@joneswalden.com**

143065 GA

Bar number and State

Fill in this information to identify the case:

Debtor name **American Carpet Group, Inc.**
 United States Bankruptcy Court for the: **NORTHERN DISTRICT OF GEORGIA**
 Case number (if known): _____

☐ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

| Name of creditor and complete mailing address, including zip code | Name, telephone number and email address of creditor contact | Nature of claim (for example, trade debts, bank loans, professional services, and government contracts) | Indicate if claim is contingent, unliquidated, or disputed | Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim. | | |
|---|--|---|--|--|---|-----------------|
| | | | | Total claim, if partially secured | Deduction for value of collateral or setoff | Unsecured claim |
| ARCO 212 North Tennessee St P.O. Box 1057 Cartersville, GA 30120 | | | | | | \$766.25 |
| Binsfield Engineering 4571 W MacFarland Rd Maple City, MI 49664 | | | | | | \$1,710.05 |
| Capital One P.O. Box 71083 Charlotte, NC 28272-1083 | | | | | | \$1,221.92 |
| Combustion & Controls Solution PO Box 23393 Chattanooga, TN 37422 | | | | | | \$15,582.88 |
| Dak America CIT Group PO Box 1036 Charlotte, NC 28201 | | | | | | \$31,219.20 |
| Epic Enterprises Inc PO Box 979 Southern Pines, NC 28388 | | | | | | \$4,375.29 |
| FILPA USA Inc 203 N Lasalle 2100 Chicago, IL 60601 | | | | | | \$62,270.37 |
| Georgia Carpet Finishers Inc PO Box 1285 Chatsworth, GA 30705 | | | | | | \$688.78 |

Debtor **American Carpet Group, Inc.**
Name

Case number (if known)

| Name of creditor and complete mailing address, including zip code | Name, telephone number and email address of creditor contact | Nature of claim (for example, trade debts, bank loans, professional services, | Indicate if claim is contingent, unliquidated, or disputed | Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim. | | |
|---|--|---|--|--|---|-----------------|
| | | | | Total claim, if partially secured | Deduction for value of collateral or setoff | Unsecured claim |
| Georgia Natural Gas PO Box 105445 Atlanta, GA 30348 | | | | | | \$20,784.12 |
| Graphic Tufting Center Inc PO Box 2541 Dalton, GA 30722 | | | | | | \$3,521.67 |
| Hayes Plumbing & Elec. Inc 625 Beason Road SE Calhoun, GA 30701 | | | | | | \$3,382.10 |
| Joseph Farless 7586 Nelson Spur Road Hixson, TN 37343 | | | Contingent Unliquidated Disputed | | | \$5,000,000.00 |
| Lawson Electric PO Box 4244 409 Spring Street Chattanooga, TN 37405 | | | | | | \$16,741.32 |
| Millis Corporate Offices PO Box 550 Black River Falls, WI 54615 | | | | | | \$14,516.07 |
| Pasco Parts & Systems Co. Inc PO Box 5468 Asheville, NC 28813 | | | | | | \$3,817.42 |
| Radco Industries Inc 700 Kingsland Drive Batavia, IL 60510 | | | | | | \$2,341.11 |
| Samplemasters, Inc 646 Leonard Bridge Road Chatsworth, GA 30705 | | | | | | \$286.92 |
| Southern Lubes & Fuels P.O. Box 2195 Calhoun, GA 30703 | | | | | | \$3,993.24 |
| Uline PO Box 88741 Chicago, IL 60680-1741 | | | | | | \$626.70 |
| Vaughn & Clements 109 W. Hicks Street Calhoun, GA 30701 | | | | | | \$17,347.46 |

ARCO
212 North Tennessee St
P.O. Box 1057
Cartersville, GA 30120

Binsfield Engineering
4571 W MacFarland Rd
Maple City, MI 49664

Blalock Machine Shop LLC
160 Bud Hardy Road SE
Calhoun, GA 30701

Capital One
P.O. Box 71083
Charlotte, NC 28272-1083

Chambliss Bahner & Stophel PC
605 Chetnut Street
Liberty Tower, Suite 1700
Chattanooga, TN 37450

Christopher Carr
Attorney General of Georgia
40 Capitol Square SW
Atlanta, GA 30334

Combustion & Controls Solution
PO Box 23393
Chattanooga, TN 37422

Comcast Business
PO Box 2127
Norcross, GA 30091

Dak America
CIT Group
PO Box 1036
Charlotte, NC 28201

Epic Enterprises Inc
PO Box 979
Southern Pines, NC 28388

FI Tech Inc
2400 Pari Way
Midlothian, VA 23112

FILPA USA Inc
203 N Lasalle 2100
Chicago, IL 60601

Georgia Carpet Finishers Inc
PO Box 1285
Chatsworth, GA 30705

Georgia Department of Labor
Suite 900
148 Andew Young Internat'l Blv
Atlanta, GA 30303

Georgia Department of Revenue
Compliance Division
1800 Century Blvd, Ste 9100
Atlanta, GA 30345-3205

Georgia Natural Gas
PO Box 105445
Atlanta, GA 30348

Graphic Tufting Center Inc
PO Box 2541
Dalton, GA 30722

Gregory Kinnamon
P.O. Box 6178
Dalton, GA 30722

Hayes Plumbing & Elec. Inc
625 Beason Road SE
Calhoun, GA 30701

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

Internal Revenue Service
Central Insolvency Office
401 W. Peachtree St., NW
Atlanta, GA 30308

Joseph Farless
7586 Nelson Spur Road
Hixson, TN 37343

Lawson Electric
PO Box 4244
409 Spring Street
Chattanooga, TN 37405

Millis Corporate Offices
PO Box 550
Black River Falls, WI 54615

Mitchell Smith

Office of the US Trustee
75 Ted Turner Drive SW
Room 362
Atlanta, GA 30303

Pasco Parts & Systems Co. Inc
PO Box 5468
Asheville, NC 28813

Radco Industries Inc
700 Kingsland Drive
Batavia, IL 60510

Samplemasters, Inc
646 Leonard Bridge Road
Chatsworth, GA 30705

Southeastern Supply Inc
224 Adams Street
Stevenson, AL 35772

Southern Lubes & Fuels
P.O. Box 2195
Calhoun, GA 30703

Testing Services
817 Showalter Avenue
Dalton, GA 30721

Timothy Gibbons
605 Chestnut Street Suite 1700
Chattanooga, TN 37450

U.S. Attorney General
U.S. Department of Justice
950 Pennsylvania Ave NW
Washington, DC 20350

Uline
PO Box 88741
Chicago, IL 60680-1741

United States Attorney
600 Richard B Russell Building
75 Ted Turner Drive, SW
Atlanta, GA 30303

Vaughn & Clements
109 W. Hicks Street
Calhoun, GA 30701

Waycaster & Allred
P.O. Box 628
Dalton, GA 30722

Whitfield Trailer Leasing
218 Highland Drive
Rocky Face, GA 30740

**United States Bankruptcy Court
Northern District of Georgia**

In re **American Carpet Group, Inc.**

Debtor(s)

Case No.

Chapter

11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **American Carpet Group, Inc.** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

Howard Johnson
100 Thomas Street
Calhoun, GA 30701

☐ None [*Check if applicable*]

May 15, 2019

Date

/s/ Cameron M. McCord

Cameron M. McCord 143065

Signature of Attorney or Litigant

Counsel for **American Carpet Group, Inc.**

Jones & Walden, LLC

21 Eighth Street, NE

Atlanta, GA 30309

404-564-9300 Fax:404-564-9301

info@joneswalden.com